

APPROVED FOR RELEASE: 2007/02/08: CIA-RDP82-00850R000100100001-8

1 OCTOBER 1979

(FOUO 13/79)

LEADERS

1 OF 1

FOR OFFICIAL USE ONLY

JPRS L/8692

1 October 1979

USSR Report

POLITICAL AND SOCIOLOGICAL AFFAIRS

(FOUO 13/79)



FOREIGN BROADCAST INFORMATION SERVICE

FOR OFFICIAL USE ONLY

NOTE

JPRS publications contain information primarily from foreign newspapers, periodicals and books, but also from news agency transmissions and broadcasts. Materials from foreign-language sources are translated; those from English-language sources are transcribed or reprinted, with the original phrasing and other characteristics retained.

Headlines, editorial reports, and material enclosed in brackets [] are supplied by JPRS. Processing indicators such as [Text] or [Excerpt] in the first line of each item, or following the last line of a brief, indicate how the original information was processed. Where no processing indicator is given, the information was summarized or extracted.

Unfamiliar names rendered phonetically or transliterated are enclosed in parentheses. Words or names preceded by a question mark and enclosed in parentheses were not clear in the original but have been supplied as appropriate in context. Other unattributed parenthetical notes within the body of an item originate with the source. Times within items are as given by source.

The contents of this publication in no way represent the policies, views or attitudes of the U.S. Government.

For further information on report content
call (703) 351-2938 (economic); 3468
(political, sociological, military); 2726
(life sciences); 2725 (physical sciences).

COPYRIGHT LAWS AND REGULATIONS GOVERNING OWNERSHIP OF
MATERIALS REPRODUCED HEREIN REQUIRE THAT DISSEMINATION
OF THIS PUBLICATION BE RESTRICTED FOR OFFICIAL USE ONLY.

FOR OFFICIAL USE ONLY

JPRS L/8692

1 October 1979

USSR REPORT
POLITICAL AND SOCIOLOGICAL AFFAIRS

(FOUO 13/79)

CONTENTS

PAGE

NATIONAL

Rights of Citizens Under New Constitution (SOVETSKOYE GOSUDARSTVO I PRAVO, May 79).....	1
Clarification of Constitutional Provisions, by V. A. Perttsik, L. P. Shmaylova Constitutionally Guaranteed Private Freedoms, by N. S. Malein	

REGIONAL

Cadre Work, Upcoming Georgian CC Plenum Discussed (Sh. Tetvadze; SAKARTVELOS KOMUNISTI, Jun 79).....	20
Internationalism, Centralism in Party Composition (A. Mudzhiri; SAKARTVELOS KOMUNISTI, Jun 79).....	28
Party Admission Practices, Membership Composition Discussed (A. Abashidze; SAKARTVELOS KOMUNISTI, Jun 79).....	36

- a -

FOR OFFICIAL USE ONLY

[III - USSR - 35 FOUO]

FOR OFFICIAL USE ONLY

NATIONAL

RIGHTS OF CITIZENS UNDER NEW CONSTITUTION

Clarification of Constitutional Provisions

Moscow SOVETSKOYE GOSUDARSTVO I PRAVO in Russian No 5, May 79 signed to press 17 Apr 79 pp 3-10

[Article by V. A. Perttsik, senior research associate at the All-Union Scientific Research Institute of Soviet Legislation, doctor of juridical sciences and professor, and L. P. Shmaylova, docent in the Novosibirsk School of the Sverdlovsk Law Institute and candidate of juridical sciences: "The Enforcement of Constitutional Norms"]

[Text] The constitutional formulation of the bases of public and state life in the mature socialist society has been completed. This has established a stronger foundation for the entire legislative system of the Soviet public state. L. I. Brezhnev described the new Constitution of the USSR by saying that "each article and each sentence must become a living part of the daily activity throughout the nation by all state agencies, all officials and all Soviet citizens. We have not written the constitution for the sake of decoration."¹

Since the day the 1977 Constitution of the USSR went into effect, all of the practical activities of state and public organizations, officials and citizens have been based on its principles and norms. The Basic Law of the USSR regulates a large variety of social relations, guaranteeing genuine democracy in the developed socialist society. The constitution has become established law and sizeable steps have already been taken to implement its directives. The realization of constitution norms is now the fundamental sociopolitical objective of the USSR's constitutional development. "Soviets on all levels, the government, ministries, departments and ispolkoms of local soviets," as L. I. Brezhnev remarked, "must constantly check their work against the requirements of the constitution. Besides this, party organs should be stricter in demanding that communists who head state and economic agencies fulfill their constitutional obligations."²

Some of the practical and theoretical questions connected with the implementation of the Basic Law of the USSR are discussed in this article.

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

The Realization of Constitutional Norms in the Practice of State Construction--New constitutions, based on the 1977 Constitution of the USSR, were adopted in all 15 union republics following the adoption of the Constitution of the USSR. They embodied the abundant experience accumulated in state construction and the further development of socialist democracy and the great force of the inviolable union of the Soviet people. The supreme soviets of all 20 autonomous republics also adopted the constitutions of the union republics.

The work of the USSR Supreme Soviet and its Presidium, standing commissions and deputies is now based on the norms of the new Constitution of the USSR. Major domestic and international issues of fundamental importance, connected with the accomplishment of tasks in line with the decisions of the 25th CPSU Congress and the Constitution of the USSR, have recently been discussed and resolved at sessions of the USSR Supreme Soviet and meetings of its Presidium.

The law enacting the Constitution of the USSR instructs the Presidium of the USSR Supreme Soviet and the USSR Council of Ministers to draw up legislative acts stipulated in its text. Carrying out the wishes of the USSR Supreme Soviet, its Presidium approved the plan for the organization of this work, which is now being performed, by promulgating the decree "On the Organization of Work To Bring Soviet Legislation into Line with the Constitution of the USSR."³ Corroboration of this may be found in the passage of three legal acts by the Ninth USSR Supreme Soviet at its Ninth Session--the Law on the USSR Council of Ministers, the Law on Elections in the USSR Supreme Soviet and the Law on the Procedure for Concluding, Executing and Denouncing International Agreements of the USSR; at its 10th Session, it passed the Law on Soviet Citizenship.⁴

The Law on the USSR Council of Ministers precisely defines the structure of the government, the procedures of government formation, the basic guidelines and principles of its activity and the general areas of the authority and jurisdiction of the USSR Council of Ministers in different fields of state, economic and sociocultural construction and regulates the operational organization of the USSR Council of Ministers and its interrelations with the union republic councils of ministers, with ministries and state committees of the USSR and with other agencies under its jurisdiction. The organization and activity of the USSR Council of Ministers are now based on a more detailed legislative foundation. We should recall that the USSR Constitution of 1936 did not envisage the promulgation of a law on the USSR Council of Ministers.

The Law on Elections in the USSR Supreme Soviet, the passage of which is also envisaged in the USSR Constitution of 1977, clarifies and supplements its directives concerning these elections, enacts several statutes containing more than 40 unincorporated acts, institutes new provisions and contains more precise and detailed instructions on all aspects of the election of deputies to the highest organ of state authority in the USSR.

FOR OFFICIAL USE ONLY

The Law on Soviet Citizenship, the need for which was stipulated in the USSR Constitution of 1977, is much richer in content than the 1938 Law on Citizenship. It resolves several issues of citizenship in new ways and contains norms which were previously specified in separate ukases of the Presidium of the USSR Supreme Soviet on citizenship. This law stresses the principle of equal citizenship rights regardless of the basis for the acquisition of citizenship, which is consistent with Article 34 of the USSR Constitution on the equality of Soviet citizens and their equality before the law, and enforces the constitutional provision (Article 33) that "citizens of the USSR abroad are fully entitled to the protection and patronage of the Soviet Government." Article 35 of the USSR Constitution on the equality of men and women served as the basis for the particular sections of this law which regulate possible changes in citizenship in connection with marriages between Soviet citizens and foreigners. The law also enforces Article 123 of the USSR Constitution, which specifies, in particular, that the Presidium of the USSR Supreme Soviet will issue all ukases concerning changes in citizenship and all decrees concerning the denial of requests of this kind.

The constitutional premises pertaining to Soviet foreign policy (Chapter 4 of the USSR Constitution) and the authority of the Presidium of the USSR Supreme Soviet and the USSR Council of Ministers in the area are reflected and clarified in the Law on the Procedure for Concluding, Executing and Denouncing International Agreements of the USSR.

A legal code of the USSR is being compiled on the basis of the USSR Constitution. The CPSU Central Committee, the Presidium of the USSR Supreme Soviet and the USSR Council of Ministers have established⁵ that its compilation should aid in the further improvement of legislation, the stronger protection of the public interest and the rights and freedoms of Soviet citizens and the reinforcement of the legal basis of state and public life. The Soviet legal code is to be published in the 1981-1985 period as an official publication of the Presidium of the USSR Supreme Soviet and the USSR Council of Ministers.

In accordance with Article 43 of the USSR Constitution, the law "On the Further Improvement of Pension Security for Kolkhoz Members" was passed in 1978.⁶ In 1977 the USSR Supreme Soviet increased the size of retirement pensions for workers in ferrous metallurgy. Implementing Article 35 of the USSR Constitution, the USSR Council of Ministers and AUCCTU adopted a decree in April 1978 "On Additional Measures To Improve the Working Conditions of Women Employed in the National Economy."⁷ The Decree of the CPSU Central Committee and USSR Council of Ministers "On the Transfer to the Provision of Students in General Educational Schools with Free Textbooks"⁸ stipulates the procedure and schedule for implementing provisions specified in Article 45 of the USSR Constitution.

In accordance with the requirements of the Basic Law of the USSR, work is being improved in all areas of the Soviet system of legal representation, and broader contacts are being established between deputies and the public.

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

In 1977 more than 800,000 issues were discussed at local soviet sessions,⁹ and more than 180,000 of these pertained to the exercise of rights envisaged in Article 146 of the USSR Constitution--that is, the ratification of plans for economic and social development, the resolution of budget and financial problems, the development of agriculture, the improvement of land and water use, the management of forests and the protection of the environment. Around 30,000 issues pertained to housing and municipal services and public welfare, and 45,000 were connected with public education and culture. Local soviets acquired much more influence over the activities of enterprises and organizations of superior jurisdiction with respect to issues specified in Articles 146 and 147 of the USSR Constitution. Article 102 of the constitution is being implemented: Soviets of people's deputies are considering voters' suggestions and taking them into account when plans for economic and social development and the budget are being drawn up. They are arranging for the implementation of these suggestions and are advising citizens of the progress in this work. Of the almost 769,500 suggestions scheduled for enactment by the soviets of the present convocation, 270,000 were implemented between June and December 1977. More than 2.2 million public initiative organizations, in which more than 31 million individuals are working, are assisting the soviets to exercise their constitutional powers. Contacts between soviets and labor collectives have been considerably strengthened.

An important role in the implementation of constitutional principles is played by the soviet court as the only system of state organs administering justice in the USSR, and by state arbitration committees and public prosecution directorates, which are the highest authority on the precise and uniform execution of laws. Specific mention has been made in the press of the positive work of the Belorussian SSR's public prosecutor's office in the enactment of Article 49 of the USSR Constitution.¹⁰

The enforcement of new Soviet constitutions calls for the continued development and improvement, on their basis, of day-to-day legislative activity and the unconditional implementation of legislative norms if these do not contradict the constitution. This attaches even more significance to the mechanism of the realization of constitutional norms.

Forms of Constitutional Norm Enactment--Constitutional norms are the focal point of Soviet legislation. Their application, just as the application of all other legal provisions, is part of a much broader context--the realization of these norms. The realization of legal norms represents nothing other than the process of implementing the government will, expressed in these laws, by all concerned legal subjects. The realization of norms is reflected in behavior by legal subjects which is consistent with legal decrees. Authorized agencies and officials, on the basis of their governmental authority and powers, take part in the realization of legal norms, which is guaranteed, in our opinion, with the aid of observance and application. The execution of legislative norms is tantamount to their observance. Application signifies the establishment of legal relations between conscious legal subjects authorized to perform actions of judicial import.

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

One of the distinctive features of the constitution's content, its legal force and its place in the legislative system stems from the peculiarities of the realization of constitutional norms, including their application. Here, the distinctive features of various types of constitutional norms must also be taken into account: regulatory norms, law-enforcement norms, norm-principles and policy-planning norms.¹¹

The application of all these types of norms is accomplished, as has been correctly pointed out in literature, "through the application of constitutional norms in combination with the norms of sectorial legislation and the independent application of constitutional norms by state agencies and public organizations."¹² It would seem correct to call the first of these indirect and the second direct.

The indirect application of constitutional norms is a simpler matter. The question of their direct effect, however, has been the subject of heated debates by Soviet and foreign scholars.¹³

The majority of regulatory constitutional norms, which define the authority of various state agencies, the rights of public organizations and the powers of officials, are applied directly. An example of the direct application of norms of this type can be seen in the decree of the USSR Supreme Soviet of 14 December 1977 on the election of members to the Presidium of the USSR Supreme Soviet. This decree was adopted directly on the basis of Articles 119 and 120 of the USSR Constitution. The decrees of the USSR Supreme Soviet on the approval of reports on the fulfillment of state plans for economic and social development in the USSR and the state budget of the USSR are applied in the realization of Article 108 of the USSR Constitution. Ukases of the Presidium of the USSR Supreme Soviet on the conferment of orders and medals are issued for the purpose of implementing Paragraph 9 of Article 121 of the USSR Constitution. The realization of constitutional norms of this type by means of "direct application" is, in our opinion, indisputable and needs no substantiation.

According to many experts on public administration who advocate the direct application of constitutional norms, the latter can be applied directly for the regulation of specific types of social relations if no stipulations to the contrary are made in the Basic Law.¹⁴ For example, many constitutional norms listed in Section II of the USSR Constitution, "The State and the Individual," and reinforcing the equality of Soviet citizens (Articles 34 and 36), their basic rights and freedoms (Articles 40-58),¹⁵ their obligations (Articles 59-66) and so forth can and should be applied by authorized agencies directly,¹⁶ just as the norms in chapters 13 and 14 of the Basic Law of the USSR, which define the principles governing the electoral system and the legal status of people's deputies, and the provisions in Chapter 20 of the USSR Constitution, which reinforce the principles of socialist justice.¹⁷ This applies equally to the particular constitutional directives which are not concretized in current legislation, if the need for this kind of clarification is not specified in the Basic Law.

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

Besides this, the absence of laws which clarify certain constitutional instructions does not mean that they should not be applied when necessary. On the contrary, this proves that they should be applied directly.¹⁸ A. B. Vengerov, for example, believes that the "independent application of constitutional norms takes place when the court encounters the need to regulate social relations of great social significance which are not covered by existing laws."¹⁹ It is a well-known fact that Soviet legislation does not recognize the legal precedent as a source of law. The role of judicial practice in the area of government law consists only in the legal defense of a number of constitutional norms pertaining to the guarantee of subjective rights of citizens and organizations or, in other cases, rights stipulated by the law. The judicial practice of the USSR Supreme Court in connection with the direct application of some constitutional norms is of interest in this connection. The USSR Supreme Court applied, for example, Article 131 of the 1936 Constitution of the USSR to regulate obligations related to the protection of socialist property.²⁰ In one specific case, the USSR Supreme Court referred to Article 10 of the 1936 Constitution of the USSR.²¹ We could also take a look at the practices of union republic supreme courts and other courts which sometimes apply constitutional norms in their decisions.²²

We will also note that the absence of norms in existing legislation to clarify the constitutional rights of Soviet citizens does not in any sense, in our opinion, constitute a basis for the refusal to defend specific actions aimed at the exercise of these rights. When the need to apply this kind of constitutional norm arises, law enforcement agencies should, in our opinion, base their decisions directly on the premises of the Basic Law, taking their superior legal force into account. For example, current legislation still does not contain any legal norms to concretize Article 49 of the USSR Constitution on the right to criticize shortcomings in the work of state organs and public organizations. This article also prohibits the persecution of persons who criticize these shortcomings and the institution of legal proceedings against them.²³ Whenever it becomes necessary to defend this constitutional right, the law enforcement agency, we believe, has the power to apply Article 49 of the Basic Law of the USSR directly.

The law enforcement agency can, obviously, also base its decision on the general principles and premises setting forth the purpose of normative acts and policy-planning norms of the Basic Law of the USSR.²⁴

Several experts in government affairs believe that the nature of the influence of programmed statutes on social relations, as well as norm-principles, consists in the fact that they obligate the state, its agencies, public organizations and citizens to subordinate their activity and behavior to the attainment of goals and accomplishment of tasks specified in these statutes. And this is true. Let us look, for example, at the following norm-principle: "The Soviet State and all its organs will function on the basis of socialist legality and will guarantee the maintenance of law and order and the protection of the public interest and the rights and freedoms of citizens" (Article 4 of the USSR Constitution). All government activity

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

and the entire organization of the state must correspond to this principle, although far from all relations connected with the realization of this principle are regulated by concrete legal norms. But this description of the influence of norm-principles and programmed statutes on social relations is not complete.²⁵ They also direct legal subjects toward specific types of behavior and activity. The regulating value of these norms consists in the fact that all members of society and all organizations can and should contribute to the attainment of the goals and objectives specified in these norms and subordinate their activity and behavior to the developmental tendencies and guidelines set forth in constitutional norms.

The direct regulatory effect of constitutional norms is also discussed, as was mentioned above, in the texts of the basic laws of several socialist states--for example, in the previously mentioned Article 105 of the 1968 Constitution of the GDR. Norms of this kind underscore the universal applicability of constitutional directives and require that all law enforcement activity correspond to constitutional regulations.

Therefore, the constitutional norm can be applied directly except in those cases when its mandatory clarification is envisaged in the text of the constitution. This is unequivocally stipulated in various sections of the constitutions of several socialist countries (for example, Part 2 of Article 58 of the 1977 Constitution of the USSR and Part 1 of Article 9 of the Bulgarian Constitution of 1971).

When should constitutional norms be applied in conjunction with norms in current legislation? Above all, this is true of law-enforcement norms envisaging liability for their nonobservance. As a rule, constitutional articles of this kind stipulate the need for their concretization by means of current legislation. For example, Article 36 of the USSR Constitution, which prohibits any direct or indirect restriction of the rights of citizens on racial or ethnic grounds, just as any preaching of racial or ethnic exclusivity, hatred and contempt, states that actions of this kind are punishable by law. In this connection, we could also mention Articles 55 and 56 of the USSR Constitution, which reinforce the inviolability of the dwelling and personal affairs of citizens and guarantee the secrecy of correspondence, telephone conversations and telegraph communications, as well as Part 2 of Article 61 of the USSR Constitution, which states that "persons who attempt to misappropriate socialist property will be punished by law."

This also applies to certain regulatory norms (generally liability laws) if the need for their clarification by means of Soviet legislation is directly specified in the text of the constitution. For example, Article 32 of the USSR Constitution states that "the obligations of state organs, public organizations, officials and citizens to guarantee the security of the nation and strengthen its defense potential are defined in the legislation of the Union of Soviet Socialist Republics," and Part 1 of Article 58 of the USSR Constitution specifies that "complaints should be investigated

FOR OFFICIAL USE ONLY

in accordance with the procedures and schedules established by law." References to current legislation can also be found in articles 106 and 107 of the USSR Constitution, which stipulate safeguards covering deputatorial activity and the procedure for recalling deputies who have not lived up to the expectations of voters. Certain constitutional norms are similarly set forth in the basic laws of foreign socialist states.²⁶

In those cases when the constitutional norm cannot be applied directly, its application in conjunction with the norms of current legislation is reasonable and consistent with the principles of socialist legality. This can take different forms from the ones discussed above. For example, it is expedient to use constitutional norms in the interpretation of "ordinary" laws, as well as to apply the norms of the Basic Law in conjunction with the norms of current legislation to motive and substantiate law enforcement actions.²⁷ The experience in this kind of application of the norms of the 1936 Constitution of the USSR testifies that interpretation of this kind led to the clarification of the general norm and to the elaboration of legal premises which later played the role of a precedent for interpretation.²⁸

The use of constitutional norms in the law enforcement process can also take place when references are made to a constitutional norm for the purpose of enhancing the authority of a law enforcement act. This form of constitutional norm enactment is suitable for regulative and law enforcement instructions in the Basic Law, norm-principles and programmed norms. For example, in orders for regular service in the USSR Armed Forces, issued on the basis of the Soviet Law on Universal Military Duty, references can be found to articles 62 and 63 of the USSR Constitution, which specify these constitutional obligations of Soviet citizens.

We will note that references to articles 60 and 61 of the Basic Law of the USSR are justified in all cases of prosecution for the avoidance of socially useful labor, the squandering of state and public property and so forth.

When a concrete legal act is passed on the basis of the Soviet Law on the State Plan for Economic and Social Development, reference can be made to the programmed norm in Article 15 of the USSR Constitution on the highest goal of national production in the socialist society--the fullest possible satisfaction of the material and spiritual needs of individuals--to substantiate a particular economic objective. A law-enforcement act on any type of reward or punishment in labor relations can be based on the constitutional norm-principle in Article 14 of the Basic Law of the USSR: "Socially useful labor and its results determine the social status of the individual."

Consequently, during the process of law enforcement, even in those cases when a specific type of social relationship is thoroughly regulated by current legislative norms, a reference to the corresponding constitutional norm should be considered sound and expedient. This will aid in increasing the authority of the USSR Constitution and augmenting the ideological and political significance of the law-enforcement act itself.

FOR OFFICIAL USE ONLY

FOOTNOTES

1. Brezhnev, L. I., "On the Constitution of the USSR," 2d ed, Moscow, 1977, p 57.
2. Brezhnev, L. I., "Leninskim kursom. Rech'i i stat'i" [Following the Leninist Course. Speeches and Articles], vol 6, Moscow, 1978, p 385.
3. See VEDOMOSTI VERKHOVNOGO SOVETA SSSR, 1977, No 51, art 764.
4. Ibid., 1978, No 28, arts 436, 439, 441; No 49, art 816.
5. SP SSSR, 1978, No 9, art 60.
6. VEDOMOSTI VERKHOVNOGO SOVETA SSSR, 1978, No 28, art 445.
7. SP SSSR, 1978, No 11, art 74.
8. Ibid., 1978, No 1, art 1.
9. All data are taken from the statistical almanac, "Some Aspects of the Organizational Work of Local Soviets of People's Deputies," 1978 edition, Moscow, 1978.
10. See PRAVDA, 7 June 1978.
11. One of the first to use this term was Hungarian expert on government affairs J. Kovacs, who did not doubt the legal normative nature of programmed regulations and differentiated between constitutional norms which went into effect immediately and programmed constitutional norms (see Kovacs, J., "A Szocialista alkotmányfejlődés és elemei," Budapest, 1963, p 354; Gwiedz, A., "Główne kieżunki rozwoju Wspolcznego," PANSTWO I PRAWO, 1971, No 8-9, p 246; Ivanishcheva, N. P., "Osnovnyye cherty Konstitutsiy zarubezhnykh sotsialisticheskikh stran" [The Main Features of the Constitutions of Foreign Socialist Countries], Saratov, 1973, p 59).
12. "XXIV s'yezd KPSS i voprosy teorii gosudarstva a prava" [The 24th CPSU Congress and Questions Connected with the Theory of Government and Law], Moscow, 1972, p 161. In his last work, L. S. Yavich wrote: "The Constitution of the USSR is a legal normative act of immediate effect and we cannot assume that the tenets of the Basic Law can only be enforced through the norms of sectorial legislation" (Yavich, L. S., "Pravo razvitogo sotsialisticheskogo obshchestva. Sushchnost' i printsipy" [The Law of the Developed Socialist Society. Fundamentals and Principles], Moscow, 1978, p 141).

Both of these methods of enforcing constitutional norms have also been pointed out by lawyers in the GDR ("Verfassung der Deutschen

FOR OFFICIAL USE ONLY

Demokratischen Republik. Dokumente, Kommentar," vol 2, p 512). The Constitution of Bulgaria states: "The laws, freedoms and obligations envisaged in the constitution" are implemented on the basis of the constitution itself except in those cases when it stipulates that the conditions and procedures of their implementation are defined in other laws (Part 1 of Article 9 of the Constitution of Bulgaria).

13. In this connection, see "Materials of the International Government Law Conference on Questions Connected with the Development of Socialist Constitutions," ACTA JURIDICA, 1965, vol VII, pp 3-4; Leyst, O. E., "Sanktsii v sovetskom prave" [Sanctions in Soviet Law], Moscow, 1962, p 116; Alekseyev, S. S., "Sotsial'naya tsennost' prava v sovetskom obshchestve" [The Social Value of Law in the Soviet Society], Moscow, 1971, p 190; Vengerov, A. B., "Problems in the Immediate Enforcement of Soviet Constitutional Norms," in the book: "Problemy konstitutsionnogo prava" [Problems of Constitutional Law], Saratov, 1969, p 87; Vengerov, A. B., "Constitutional Norms in Judicial Practice," in the collection: "Sudebnaya praktika v sovetskoy pravovoy sisteme" [Judicial Practices in the Soviet Legal System], Moscow, 1975, pp 99-110.
14. This idea was given constitutional expression in Article 105 of the Constitution of the GDR of 1968 in the 7 October 1974 edition of this law, which states: "The Constitution is immediately enforceable law."
15. The question of the direct force of Part 2 of Article 58 is debatable (for a discussion of this, see Bratus', S., "Judicial Standards and Jurisdiction," SOTS. ZAKONNOST', 1977, No 18, p 11; Savitskiy, V., "A New Stage in the Execution of Socialist Justice," SOTS. ZAKONNOST', 1978, No 5, p 8; Yudel'son, K., "The Constitutional Principles of Soviet Civil Procedural Law," SOTS. ZAKONNOST', 1978, No 16, p 12.
16. S. Rosmaryn says the following about the norms of the Polish Constitution of 1952: "The constitutional norms which serve as the basis for the essential rights and freedoms of citizens can and should be applied independently, without any preliminary publication of ordinary laws to amplify and clarify constitutional provisions..., if the constitution itself does not specify procedures to the contrary" (Rosmaryn, S., "Konstytucja jako ustawa zasadnicza PRZ," Warsaw, 1967, p 320).
17. An argument set forth by B. Spasov, in substantiation of this viewpoint in regard to the Bulgarian Constitution of 1971, deserves consideration. He wrote that constitutional norms are directly enforceable since they specify concrete subjects of legal relations in the majority of cases (see Spasov, B., "Voprosi na novata Konstitutsiya," Sofia, 1973, pp 65-66).
18. Kuznetsov, I. N., "The Role of the Constitutional Legislation of European Socialist Countries in Consolidating the System of Socialist Legality," UCHENYYE ZAPISKI VNIISZ, No 25, Moscow, 1971, p 55.

FOR OFFICIAL USE ONLY

19. "Sudebnaya praktika v sovetskoy pravovoy sisteme," Ed-in-Chief Bratus', S. N., pp 111-113.
20. See "Sbornik postanovleniy plenuma i opredeleniy kollegii Verkhovnogo suda Soyuz SSSR, 1940 g." [Collected Decrees of the Plenum and Resolutions of the Board of the Supreme Court of the USSR, 1940], Moscow, 1941, pp 224-225.
21. SUDEBNAYA PRAKTIKA, No IV, 1944, p 9.
22. BYULLETEN' VERKHOVNOGO SUDA RSFSR, 1965, No 3, p 14; 1972, No 2, p 16.
23. The right to criticize stems from the general principles of the socialist order and existed as a socialist moral standard prior to its legal reinforcement in the constitution. Besides this, it was envisaged in the by-laws of public organizations (see the Charter of the Communist Party of the Soviet Union, the Charter of the Komsomol, etc.). In the same way, this right was secured by measures of public persuasion or punishment envisaged in the by-laws of public organizations. Legal norms envisage concrete liability for the persecution of individuals who engage in criticism in those cases when this persecution considerably encroaches upon certain civil rights, such as the right to work, and, consequently, violates labor legislation (see Article 105 of the Fundamentals of Legislation of the USSR and the Union Republics on Labor and Article 249 of the Labor Code).
24. For a more detailed discussion of this, see: Il'inskiy, I. P., "The Development of the Democratic Bases of Socialist Constitutionalism," in the book: "Gosudarstvo i demokratiya v period postroyeniya razvitogo sotsializma" [The State and Democracy During the Era of the Construction of Developed Socialism], Moscow, 1974, p 113.
25. For more detail, see Shmaylova, L. P., "Programmed Statutes of the Constitutions of the Foreign Socialist Countries," author's abstract of a candidate's dissertation, Sverdlovsk, 1975, pp 11-12.
26. See, for example, articles 49, 51, 55 and 56 of the Bulgarian Constitution of 1971, articles 19, 31, 32 and 34 of the 1968 Constitution of the GDR, articles 19, 52, 54, 55, 65, 58 and 62 of the 1976 Constitution of Cuba, and others.
27. The decision of the judicial board of the Supreme Court of the Turkmen SSR on a case involving land use procedure states: "Article 6 of the USSR Constitution stipulates that land is state property. Certain citizens are granted the right to use it for specific purposes (particularly for the construction of dwellings). In view of this, disputes by co-owners in regard to land use procedures are to be settled in court" (see BYULLETEN' VERKHOVNOGO SUDA SSSR, 1957, No 4, pp 46-47).

FOR OFFICIAL USE ONLY

28. For a discussion of this, see Vengerov, A. B., "Constitutional Norms in Judicial Practice," in the collection: "Sudebnaya praktika v sovetskoy pravovoy sisteme," pp 116-117.

COPYRIGHT: Izdatel'stvo "Nauka", "Sovetskoye gosudarstvo i pravo", 1979

Constitutionally Guaranteed Private Freedoms

Moscow SOVETSKOYE GOSUDARSTVO I PRAVO in Russian No 5, May 79 signed to press 17 Apr 79 pp 11-17

[Article by Professor N. S. Malein, doctor of juridical sciences and senior research associate at the Institute of Government and Law of the USSR Academy of Sciences: "Civil Legal Protection of the Individual in Line with the Constitution of the USSR"]

[Text] The Constitution of the USSR and Civil Legislation--The Constitution of the USSR represents a basis for the further improvement and development of all branches of law. One of the major guidelines for the development of the Soviet society's political system is the reinforcement of the legal bases of state and public life (Article 9 of the USSR Constitution). This provision reflects the need to further enhance the role of law and strengthen legality in the society of developed socialism.¹

The need to enhance the role of law is dictated by several factors, including the appearance of new relations and the modification of existing ones in connection with the effects of technological progress on various spheres of public life. The enhancement of the role of the law also entails augmentation of the role of legislation--authoritative acts of supreme judicial force--and the augmentation of its "relative weight" in the total volume of normative material. Many provisions which were previously defined in current legislation and sublegal acts are now reflected in the Constitution of the USSR. The constitution envisages the promulgation of several laws to replace existing sublegal acts.

There has recently been some "redistribution" of normative material among branches of law and corresponding changes in the subjects regulated by branches of law; all of this has been part of the general improvement of legislation in accordance with the development of new social relations. For example, several types of relations which had been regulated by criminal law have now been transferred to the sphere of administrative law (petty theft and vandalism, the liability of minors for certain crimes, etc.). It would seem that some of the relations regulated by administrative legal acts should be transferred to the sphere of civil law--for example, some of the relations arising in connection with the realization of the constitutional rights of citizens to recreation, medical treatment, a healthy environment, a dwelling, the enjoyment of cultural achievements, privacy in personal affairs and other rights.

The further improvement of civil legislation and its developmental tendencies are stipulated in the basic provisions of the Soviet Constitution. In

FOR OFFICIAL USE ONLY

In connection with this, it has become necessary to investigate the correlation of constitutional norms to civil laws and to examine their role in the realization of constitutional civil rights.

The adoption of the new Constitution of the USSR brought the question concerning the nature of its norms to the fore once again: Are these norms of direct (immediate) or indirect (mediated) force? In the first case, constitutional provisions would be applied independently (or directly) in the regulation of relations and the settlement of specific issues; in the second case, they require mandatory amplification and clarification in sectorial norms and can only be applied in combination with the latter.

Several relations constituting a subject of civil legislation are regulated directly by constitutional provisions of the USSR. These include, for example, the norm in Article 11 of the USSR Constitution, which presents a detailed description of the state's right of exclusive ownership of the land, minerals, water and forests. Regardless of how progressive the viewpoint concerning the direct legal force of all constitutional provisions on the regulation of specific legal relations may seem, it still cannot be totally accepted, since it is inconsistent with reality and with the very nature of the Basic Law of the state, in which it is difficult to envisage and reflect the entire spectrum of specific types of social relations. For example, according to Article 44 of the Constitution of the USSR, citizens have the right to a dwelling, which is guaranteed by the development and protection of the state and public housing fund, the promotion of cooperative and individual residential construction, the equitable distribution of living area and low rents. Obviously, the appearance of concrete relations in connection with the realization of the right to a dwelling will necessitate the clarification of constitutional provisions on the "development and protection" of the housing fund in government, administrative, economic and civil legislation, the stipulation of specific regulations covering the "promotion" of cooperative and individual construction and the "equitable distribution" of living area, and so forth. It is only after this that concrete relations in connection with the realization of this right can exist. Moreover, the problem here does not consist in the simple interpretation of constitutional provisions, but in the establishment of new and original norms in sectorial legislation on the basis of the constitution and for the purpose of its enforcement. In precisely the same way, other constitutional norms proclaiming civil rights also require clarification.²

The constitution, which represents the basic law, covering the maximum spectrum of social relations in contrast to other acts, defines the bases of the social order and proclaims the basic freedoms, rights and obligations of citizens, differing in these respects from current legislation, which regulates specific relations. Constitutional norms, which require amplification in sectorial legislation, can be regarded as directly enforceable norms in cases involving legal relations of the general type. For example, if Article 58 of the Constitution of the USSR envisages the right of citizens to appeal the actions of officials in the established legal manner and the right to

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

collect compensation for losses incurred as a result of illegal actions by organizations, this means that authorized agencies must define the procedures for the investigation of civil complaints and suits. Consequently, rights and obligations (making up the content of legal relations of the general type) arise between specific government agencies in connection with the passage of current (or sectorial) legislation in accordance with particular constitutional provisions. The direct force of constitutional provisions is also reflected in the fact that they represent the basis of all subsequent legislation, the norms of which must be totally consistent with the Basic Law of the USSR. If the normative act or its norms should contradict constitutional provisions, constitutional norms come into effect and, on the basis of these, each norm of current legislation must be brought completely in line with the constitution in accordance with the principles of constitutional review. In these two respects, all norms of the USSR Constitution are directly enforceable laws.

It would seem that an analysis of the text of the constitution should be based on the assumption that its provisions are not equivalent (in this respect). For example, some constitutional provisions of a normative nature are applied in the direct regulation of primarily governmental legal relations, while others are mediated by the appropriate sectorial legislation.

Civil Legislation and the Realization of Constitutional Civil Rights--
An analysis of the norms in Chapter 7 of the Soviet Constitution indicates that the civil legal method of regulating relations is being used, and could be used on an even great scale, in the enactment of basic civil rights. Relations arising from the realization of constitutional rights to health protection (Article 42), to a dwelling (Article 44) and its guaranteed inviolability (Article 55), to the freedom of scientific, technical and artistic creativity (Article 47), to the privacy of personal affairs (Article 56), to the judicial protection of honor and dignity, life and health (Article 57) and to the collection of compensation for losses incurred as a result of unlawful actions by government and public organizations (Article 58), are regulated by existing citizens' legal institutions overseeing torts, copyrights and patents, housing laws, etc. This, however, does not limit the future development of civil law in the guarantee and protection of the constitutional rights of the individual.

Above all, consideration should be given to the new constitutional provision in Article 46 on the right of citizens to enjoy cultural achievements. This right is guaranteed by the total accessibility of the treasures of Soviet and world culture located in state and public foundations, the development and equitable distribution of cultural and education institutions throughout the nation, the development of television, radio, the movie industry, the periodical press and a network of public libraries, and broader cultural exchange with foreign states. The implementation of measures listed in the constitution primarily gives rise to relations between government organizations which regulate the norms of government, administrative and financial law. In the final analysis, however, relations

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

connected with the enjoyment of cultural achievements are relations between various types of cultural institutions and citizens. They have civil legal elements, but they have virtually been withdrawn from the subject matter of civil law and are not regulated by the norms of civil codes (with the exception of relations connected with the use of libraries, which are regarded as loan agreements).

Citizens of the USSR have the right to recreation. This constitutional right is guaranteed above all by labor legislation norms concerning the length of the working day, annual vacations and so forth. Besides this, the recreation of workers is guaranteed by means of a network of cultural, educational and convalescent institutions. Here the right to rest and recreation is enforced at the same time as the right to enjoy cultural achievements and, as we have already mentioned, the relations between citizens and cultural establishments should be legally regulated in civil law codes. In addition, there are relations that arise between citizens and such institutions as rest homes, tourist centers, Pioneer camps, sanatoriums and so forth, through which the rights to rest and recreation, to health protection and the enjoyment of cultural achievements are exercised. These relations should also be regulated by civil law (along with the norms of other branches of the law). The constitutional right of citizens to recreation, health protection and the enjoyment of cultural achievements is mediated and safeguarded by the norms of various branches of legislation. Obviously, relations between state and other establishments, organizations and enterprises in connection with the planning, financing, construction and distribution of cultural and convalescent complexes are regulated by the norms of government, administrative, financial and economic law. Relations arising from the distribution of tourist passes and the authorization of workers to use these passes are regulated by the norms of labor and administrative law, social security and the fundamentals of public health legislation.

As soon as the citizen acquires his tourist pass (to a sanatorium, rest home or tourist center), receives authorization (to go to the hospital), visits an institution (or out-patient clinic), buys a ticket (movie, theater, museum or exhibit) or enters into relations with cultural institutions (radio, television and the periodical press) by any other means, these relations become civil legal relations between judicially equal subjects pertaining to personal and property questions (or interests). Obviously, there could be no serious objection to civil legal regulation of relations between citizens and specialized institutions--movie houses, theaters, museums, exhibit halls, the radio network and so forth.

Relations between citizens and sanatoriums, rest homes and convalescent institutions are less common for civil law and more complex in content. They combine rights and obligations connected with the offer of lodging, meals, cultural services (rest homes) and medical treatment (sanatoriums and hospitals) or only medical treatment (out-patient clinics). These relations arise either on the basis of a contract (rest home or sanatorium) or an administrative act (out-patient clinics and hospitals). In all cases,

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

however, the parties act as judicially equal subjects, regardless of whether these relations require compensation or not. The method of authority and subordination does not apply here. When the citizen is in a rest home, sanatorium or convalescent institution, he must observe the rules of internal order stipulated in norms of administrative law. But this does not change the nature of these relations as civil legal relations. For example, when a citizen is in a trade establishment or is making use of transport services, he must also observe the rules of the store or the transport enterprise; specified in administrative legal norms, or bear administrative liability for their violation. Nonetheless, purchase and sale relations and transport relations are of the civil legal type. In precisely the same way, the relations between convalescent and medical institutions and citizens in connection with the guaranteed right to recreation and health protection are also civil legal relations.

These rights and obligations are not reflected in existing civil law codes. They are defined in normative sublegal departmental acts or the acts of local soviets of people's deputies. These acts are generally of a comprehensive nature--that is, they contain norms pertaining primarily to administrative and labor law and only partially to civil law. As a result of this, civil laws and obligations are not sufficiently regulated, and these relations themselves are partially discussed in the theory of administrative and labor law and are partially a "no man's land"--neither analyzed nor adequately regulated in sectorial legislation. It would seem that all of the relations mentioned above are civil legal by their nature and subject to detailed regulation in civil law codes, and therefore part of the subject matter of civil law.

The provision in Article 40 of the Constitution of the USSR on the right to work is clarified primarily in the norms of labor legislation. Nonetheless, a definite role in this process also belongs to civil law. For example, relations arising in connection with planned scientific projects and inventions are regulated by norms in sections IV and VI of the Fundamentals of Civil Legislation (sections IV and VI of the RSFSR Civil Code). Wages are paid out to a guardian rather than to a worker whose limited capacity has been established in accordance with Article 16 of the RSFSR Civil Code. Cases involving impairment of health on the job or compensation for damages are covered by the regulations in Chapter 12 of the Fundamentals of Civil Legislation (Chapter 42 of the RSFSR Civil Code).

The need to protect the honor and dignity of citizens (Article 7 of the Fundamentals and Article 7 of the RSFSR Civil Code) frequently arises in connection with labor. In particular, the question of the jurisdictional disposition of disputes often arises in judicial practice in connection with Article 7 of the Fundamentals in regard to the refutation of false information in job descriptions and dismissal and penalty reports which defame the honor and dignity of the worker. In some cases the courts investigate such cases as a matter of course, but in others they declare that they have no jurisdiction over these matters, assuming that the dispute should be settled by means of an appeal to a higher agency.

FOR OFFICIAL USE ONLY

The worker who signs a labor contract with an enterprise does not cease to be a citizen with all of the rights granted him by civil, family, administrative and other branches of law. The fact that he enters into labor relations signifies that the citizen is invested with new (labor) rights and obligations but it does not mean that he loses any of his other rights, including the right to defend his honor and dignity. The new Constitution of the USSR reflects the tendency toward broader judicial protection for citizens whose rights have been violated by official actions (Part 2 of Article 58).

Opinions have been expressed in the press in regard to the judicial procedure of defending the professional honor of workers and employees, including workers whose jobs are noted on special rosters and workers who are covered by statutes on discipline.³ Although we agree with this idea in general, it is difficult to accept the statement proposing the incorporation of norms analogous to Article 7 of the Fundamentals as part of labor law. If this were done, it would also be necessary to incorporate analogous norms into family law and other branches of the law. Professional and family honor are elements of the general concept of the citizen's honor and, for this reason, can be defended on the basis of the general norm in Article 7 of the Fundamentals. There is no need to duplicate this norm in other branches of the law.

It is important to consider the fact that the spiritual interest of the citizen is the only interest in question, or an interest which prevails over the property interest, in relations connected with the realization of the right to rest and recreation, health protection and the enjoyment of cultural achievements. Nonetheless, according to the system of classification presently used in civil law, all of these relations should be regarded as pertaining to property rights. According to the theory of civil law, property relations are those which arise in connection with the ownership, distribution and exchange of material goods and, consequently, civil legal property relations are relations mediated by the ownership of transfer of property or the results of labor with property characteristics.

In the relations examined above, goods and interests are more of a spiritual than material nature. In fact, the citizen who enters into relations connected with the realization of his right to enjoy cultural achievements and his right to recreation and health protection is satisfying his own spiritual, personal needs and interests and acquiring or making use of spiritual values. We cannot deny that the property element is present in these relations, just as we cannot ignore the significance of the non-property element, but the norms of current civil law are constructed in such a way that they give primary or exclusive consideration to property interests, regulating these relations as contacts occasioned by property (things) or services with property characteristics. The non-property, personal and spiritual interests which served as the motive and goal of the citizen's decision to enter into these relations general remain outside the sphere of civil legal influence and protection.⁴ This reflects the traditional approach to the definition of the subject matter of civil law and the content of its norms. This

FOR OFFICIAL USE ONLY

approach is hardly consistent with the current legal interpretation of society and the individual. "Concern for the elevation of the public standard of living--this is the central guideline of party domestic policy. By this, we mean a rise in the material and the cultural standards of living. One cannot be separated from the other. We reject both the preaching of poverty and asceticism and the obsession with consumption, the mentality of the Philistine whose world revolves...around the kopeck. Material goods are not an end in themselves for us, but simply a prerequisite for the thorough development of the individual. For this reason, it is important that the enhancement of well-being be accompanied by the enrichment of the individual's inner world and the development of a correct understanding of the purpose and meaning of life."⁵

There is no question that law, including civil law, plays a considerable part in the formation of communist ideology. In many types of property relations, material goods are not an end in themselves, but a prerequisite for the satisfaction of spiritual interests, the all-round development of the individual and the enrichment of the individual's inner world. Consequently, the protection of property interests cannot be separated from the protection of personal, spiritual interests in the legal regulation of civil relations. Civil law should take any interest of a non-property nature into account if it is of social significance and should protect it. In line with this, when we define the subject matter of civil law, we cannot limit ourselves to a description of legal property relations as the mediation of contacts exclusively pertaining to the transfer of property. The significance of property and personal interests must be reflected in this process.

We must overcome the traditional belief that property relations, arising from commodity and money transactions, constitute the basic subject matter of civil legal regulation. At least the relations between citizens and between the individual citizen and the socialist organization are primarily relations connected with the satisfaction of spiritual and material needs and interests. A one-sided description of them as commodity and money relations is inconsistent with the essence of these relations.⁶ The departure from the commodity and money concept and a transition to the description of civil legal relations involving citizens as relations which must be regulated for the purpose of promoting the all-round development of the individual would seem to be fundamentally important and correct.

The development of our society has been accompanied by an increasing tendency toward growth in the spiritual interests of citizens. We are witnessing the appearance of new relations and the development of previous ones, in which the non-property interests of the citizen are constantly playing a more important part. Personal interest sometimes acquires primary significance in property relations which are traditional in form. Obviously, the provisions of civil law must reflect these tendencies and take them into account.

Existing civil legislation gives legal significance to non-property interests in a number of cases. But if the constant growth of personal interests

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

reflects a general tendency in the development of social relations, the corresponding modification of civil legal provisions in the direction of the fuller protection of these interests is an equally natural tendency in the development of civil law.

FOOTNOTES

1. See Kudryavtsev, V. N., "Current Problems in Scientific Research in Light of the New Constitution of the USSR," SOVETSKOYE GOSUDARSTVO I PRAVO, 1978, No 9, p 3.
2. A special study of the judicial experience in the direct application of constitutional norms discusses four cases of this type; moreover, in our opinion, each of these could have been settled on the basis of the provisions of sectorial legislation (see "Sudebnaya praktika v sovetskoy pravovoy sisteme," p 110). In principle, references to articles of the constitution are possible and expedient from the standpoint of the authority of the judicial ruling on any specific civil, family, labor or criminal case or any other type of case, but in combination with sectorial legislative provisions.
3. See Ivanov, S. A. and Livshitz, R. Z., "The Constitution of the USSR and Questions of Labor Law," SOVETSKOYE GOSUDARSTVO I PRAVO, 1978, No 4, p 22.
4. Compensation for the cost of undelivered newspapers, magazines and books or the cost of tickets and tourist passes to rest homes, sanatoriums and other institutions of this type with no vacancies not only leaves non-property interests unprotected but, in some cases, does not even compensate the citizen for his property losses.
5. Brezhnev, L. I., "Speech at the 18th Komsomol Congress," PRAVDA, 26 April 1978.
6. The definition of the objectives of civil law provided in the Preamble to the GDR Civil Code of 1975, in accordance with which civil law regulates relations guaranteeing citizens spiritual and material goods and services for the purpose of the all-round development of the individual in socialist society, seems correct (Preamble, Paragraph 1 of the GDR Civil Code). Correspondingly, all civil legal institutions, including the right of ownership, are aimed not only at the satisfaction of material needs, but also at the development of the socialist individual (Paragraph 22 of the GDR Civil Code).

COPYRIGHT: Izdatel'stvo "Nauka", "Sovetskoye gosudarstvo i pravo", 1979

8588
CSO: 1800

FOR OFFICIAL USE ONLY

REGIONAL

CADRE WORK, UPCOMING GEORGIAN CC PLENUM DISCUSSED

Tbilisi SAKARTVELOS KOMUNISTI in Georgian No 6, Jun 79 pp 24-31

[Article by Doctor of Historical Sciences Sh. Tetvadze under rubric "Cadres-- A Powerful Lever of Social Development": "Fidelity to Leninist Principles of Work With Cadres"]

[Text] The fundamental link of party and state leadership, a most important problem in the building of socialism and communism, is work with cadres. It faced our party in a particularly urgent way after the triumph of the October Socialist Revolution. V. I. Lenin linked the profound changes of all social life on a socialist basis to the high calling of cadres. Without the leadership of specialists in various sectors of science and technology, in his opinion, "it is impossible to move into socialism" ("Works" Vol 27, p 291).

The Communist Party has always had a deep belief in the creative powers of the people, seeing in them the greatest means of seeking out talented leaders. The whole thing has been to master the art of selecting, promoting, and instructing cadres among the working people. V. I. Lenin insisted: "Let us be as careful and patient as possible in testing and discerning the real organizers, people of sober judgment and practical perspicacity, people who combine fidelity to socialism with the ability to work quietly (despite commotion and noise) in managing the steadfast and harmonious joint efforts of numerous people within the Soviet organization. We must advance only such people to responsible posts of leadership in people's labor, leadership in management, after testing them 10 times, by shifting them from the simplest tasks to the toughest tasks" ("Works" Vol 27, p 310).

In selecting personnel, primarily, attention must be focused on their political and business qualities. In the leader, high value is placed on a consistent stance on class and party positions, high ideological level, honesty, closeness to the masses, concern for their needs, the ability to carry out the tasks assigned by the party, good organization, a sense of innovation, and initiative and purposiveness in the work. Along with this, V. I. Lenin attached great importance to the correct, objective evaluation of the

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

individual's character traits; he advised that account be taken of the "pure personal attribute." He considered incompatible with qualities of leadership traits of crudity, indifference to comrades, obstinacy, and inordinate focus on the purely administrative aspects of the business.

Our party has always fought against one-sided evaluation of cadres. A weak knowledge of the political attributes of personnel is dangerous because it can cause serious mistakes, a slackening of vigilance, cluttering of the cadre ranks with careerists and bureaucrats; it can have a negative effect on the methods and level of management. Secondly, ignorance of the individual's business attributes gives rise to mistakes in the administration of particular aspects of the building of socialism.

V. I. Lenin linked the correct selection and advancement of cadres to the struggle against premature and groundless characterization of individuals; he considered subjectivism, regionalism, and national narrow-mindedness to be unacceptable in the political indoctrination and promotion of personnel. He imposed especially high requirements on those party members placed in charge of party collectives or working in the party apparatus. He believed that it is necessary to advance wholly reliable individuals to party work, people who can creatively solve the most complex problems and have the ability to work with the masses.

The political maturity of cadres is revealed in their partyhood, their principles, their ability to be guided by the interests of the society and the state in resolving problems. As is well known, V. I. Lenin called for a struggle "against the abuse of Soviet authority by those individuals who use the title of communist to deceive and in fact carry out not a communist policy but a bureaucratic, imperious policy" ("Works," Vol 29, p 125).

Under present conditions, these Leninist postulates are the guide of action both for Soviet communists and for our friends from countries of the socialist commonwealth.

Under developed socialism, the basic directions in cadre policy are clearly spelled out in the CPSU program, in the decisions of the 23rd, 24th and 25th party congresses, and the CPSU CC plenums, the CPSU CC decrees, and in the works and speeches of CPSU CC General Secretary and USSR Supreme Soviet Presidium Chairman Comrade L. I. Brezhnev. These documents specifically and creatively spell out Leninist principles of cadre policy, they set forth the tasks of further improvement of the selection, placement, and indoctrination of leadership cadres. The big tasks of cadre indoctrination are spelled out in the new CPSU CC decree "Further Improvement of Ideological and Political-Indoctrination Work."

In selecting, placing, and indoctrinating leadership cadres, the Georgian party organization has always been guided by Leninist principles of evaluating the workers' political and business attributes, the leader's ideological creed and communist maturity. It has always believed that in addition to political

FOR OFFICIAL USE ONLY

attributes, business attributes, special knowledge, understanding, talent, and skill are essential. It must be admitted, at the same time, that prior to the adoption of the CPSU CC's 22 February 1972 decree on problems of the work of the Tbilisi Gorkom, Leninist principles of cadre indoctrination and assignment in the republic were frequently violated. On the basis of high principles, the CPSU CC revealed the serious mistakes made by the Tbilisi Gorkom in work with cadres. In handling cadre questions, the gorkom frequently failed to take account of the main criteria in personnel evaluation--their political maturity, qualifications, moral outlook, and ability to lead the masses under present conditions. There were frequent instances of lack of principle, leniency, protectionism, and indifference to the opinions of the collective and the party organization. As a result, weak individuals frequently rose to responsible positions, people who were unable to take charge. The gorkom took an indulgent attitude toward certain officials who did their jobs poorly, who treated the requirements and needs of the working people bureaucratically.

The GCP CC's July 1974 decree "The Struggle Against Protectionism In The Republic" noted that protectionism reflected gross deviations from Leninist principles governing the selection, placement, and advancement of party, soviet, and economic cadres. The decree emphasized that protection is dangerous in that it not only results from negligence and lack of discipline but also itself gives rise to an atmosphere of uncontrol and indulgence among individual personnel and the collectives they are in charge of.

In the recent past, things went so far that influential "business men" and schemers extended protection to unworthy persons, giving them jobs or advancement even in key party and state organs. Through protection, completely unworthy people occupied high posts.

The recommendations and stipulations set forth in the CPSU CC's 22 February 1972 decree "Organizational and Political Work of the GCP Tbilisi Gorkom to Implement the Decisions of the 24th CPSU Congress" have helped the whole republic party organization to draw the correct conclusions, to work out and implement effective measures to rectify shortcomings. The republic's party organization has done a great deal to strengthen leadership cadres with politically mature and competent workers. Higher exactingness is imposed on those party members elected to party organs. The number of workers, kolkhoz members, and women in elective organs has risen. The secretarial composition of the party's obkoms, gorkoms, and raykoms has been changed almost completely. Cadres have been replenished chiefly with young, primarily Komsomol cadres.

Democratic principles of cadre selection, assignment and indoctrination have been restored. The republic's party organizations are complying strictly with Leninist principles of cadre indoctrination and placement. Representatives of the working class, people involved directly in the sphere of material production, have been advanced to party, soviet, and economic

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

posts of leadership. The worker collectives, party organizations, and collective management bodies are playing a broader role in cadre selection, assignment, and indoctrination. Principles of electiveness [vybornost'] and accountability have been strengthened in the implementation of cadre policy.

A second fundamental direction of the Georgian party organization's work with cadres in recent years is the scientific study and development of the personnel's political and business attributes. Problems of selecting and indoctrinating economically and technically educated cadres have been placed on an appropriately high level. Verification and development of the organizational talents of leadership personnel have become the cornerstone of the work of the party organizations.

A third basic direction in the work of the republic's party organization with regard to cadre policy involves cadre training and indoctrination, the organization of cadre work, the creation of a competent reserve.

The work done by the GCP CC has resulted in substantial improvement of the composition of the party leadership cadres in the republic; there are now more national economy specialists and scientists, people who have gone through the good school of life. More than one-third of the gorkom and raykom first secretaries began their careers as laborers and kolkhoz members. More than half of them are specialists in industry and agriculture. The republic's party organization has done creative work to enhance the competence of leadership cadres, to man key positions in the national economy with qualified specialists. As E. A. Shevardnadze stated at the GCP CC's December 1977 Plenum, "If we can today speak of the main, the biggest, the most important achievement of our party organization in implementing the CPSU CC's decree regarding the Tbilisi Gorkom, that chief accomplishment, very likely, is that we have been able to select and properly place cadres in the most crucial, key posts. They are honest, competent, qualified people who are faithful to our cause. They are talented organizers. This constitutes the main accomplishment of our joint efforts in recent years."

GCP CC plenums and buro meetings, party obkoms, gorkoms, and raykoms, and party assemblies regularly discuss problems of cadre selection, assignment, and indoctrination. The 25th GCP Congress focused much attention on cadre work: the congress directed party, soviet, and economic organs and organizations to ensure systematic implementation of the party's policy in the selection, assignment, and indoctrination of cadres, to act decisively and on the basis of party principles in rooting out formalism and bureaucratic, negligent practices with regard to cadres and cadre reserves, to do away with personal irresponsibility, to ensure the blending of exactingness and trust and respect in cadre work.

Party obkoms, gorkom, and raykoms are doing fruitful work in the field of selection, appointment, and indoctrination of party, soviet, and economic

FOR OFFICIAL USE ONLY

leadership cadres. The Tbilisi, Batumi, Kutaisi, Rustavi, and Tkibuli gorkoms and the Ambrolaurskiy, Vanskiy, Tsagerskiy, Khobskiy, Mayakovskiy, Sagaredzhoyskiy, and Tbilisi Kirovskiy raykom plenums have held special discussions of problems of cadre work in accordance with the decisions of the 25th CPSU Congress. These problems have been accorded a special place at primary party organization election-accountability meetings and oblast, city and rayon party conferences.

The April 1978 Tbilisi Gorkom Plenum held a special discussion of the problem of improving party management in cadre selection, placement, and indoctrination in accordance with the requirements of the 25th CPSU Congress and the CPSU CC's June 1976 decree regarding the Georgian party organization. During preparations for the plenum, the gorkom and the editors of the newspapers received many letters and proposals. The most important ones were reflected in the materials of the plenum, and some of them were printed in the city newspapers TBILISI and VECHERNIY TBILISI. The letters that were received, and other materials, raised timely issues concerning cadre work and the main problems of cadre policy. All of the preparatory work for the plenum was used fruitfully by the gorkoms and raykoms to improve their work. Fruitful efforts were launched to form the necessary reserves, to create a "Cadres" data-search center using computers, and so on.

The Kutaisi Gorkom correctly analyzed the problem of work with cadres, with people, focused the necessary attention on the recommendations of the worker collectives, and sent apparatus personnel to the low-level organizations to work. Some 21 promising young people were promoted from the labor collectives into the party apparatus.

In the last few years, the Khobskiy Raykom has promoted more than 100 promising and talented individuals to posts of leadership; most of them have repaid this trust.

The Abashskiy Raykom has accumulated substantial experience in cadre work. The raykom buro is focusing attention on cadre selection, placement, and indoctrination. The rayon's leadership cadres are characterized by good personal organization, diligence, competence, and a high sense of party duty.

Leninist principles of cadre work are being applied creatively by the Batumi and Rustavi gorkoms and by Tbilisi's Pervomayskiy, Leninskiy, and Zavodskiy raykoms, and by Akhalkalakskiy, Akhaltsikhskiy, Aspindzskiy, Akhmetskiy, Terzholskiy, Makharadzevskiy, Kobuletskiy, Mestiyskiy, Chkhorotskuyskiy, Tsagerskiy, Sachkheriskiy, and a large number of other raykoms.

The GCP CC is focusing attention and control on the performance of every responsible individual. The CC's Organizational-Party Work Department has worked out a system to monitor the performance of all newly-promoted comrades and give them the necessary help. This system includes regular reports at

FOR OFFICIAL USE ONLY

meetings of the CC department and buro concerning first steps on the job, difficulties that have arisen, and other problems.

The GCP CC arranges periodic zonal conferences of raykom first secretaries to share experience in party work. To participate in the preparation and arrangement of local organizational-political measures--conferences and other meetings on problems of the routine work of election-accountability meetings and conferences and aktivs, special crews are sent regularly, which include responsible party, soviet, and economic officials and persons active in the sciences, literature, and the arts. Functioning in conjunction with the GCP CC is a seminar-lectorium dealing with current problems of Marxist-Leninist theory and the building of communism, directed by CPSU CC Politburo Candidate Member and GCP CC First Secretary E. A. Shevardnadze.

In addition to cadre selection and indoctrination, the GCP CC and the obkoms, gorkoms, and raykoms are focusing substantial attention on enhancing cadre responsibility for their assigned jobs, for their unconditional compliance with party and state discipline. The party committees trust and respect the cadres; they are concerned to give them broad independence, the opportunity to exhibit personal initiative. Blending cadre trust with cadre exactingness ensures the main task. Mobilizing the working people in order to accomplish the party's and government's directives successfully.

The GCP CC is providing more and more information to party members and non-members with regard to questions of dismissing a particular individual, the business and political attributes of persons in positions of leadership. Of interest in this regard is the practice of publishing materials in the republic's press pointing out both positive experience and shortcomings in cadre work, information concerning the essential qualities and performance of officials, giving their names, sectors, organizations, and institutions.

The GCP CC is seeing to it that every party committee be more demanding of those officials who have not managed to complete state plans, who are not making satisfactory efforts to raise the effectiveness of social production, to improve quality indicators. A large number of gorkoms, raykoms, primary party organization buros, and party committees are using tried and true forms of enhancing economic executive responsibility such as report and information hearing sessions on the course of state plan fulfillment, the introduction of scientific and technical advances in production, and performance style and methods.

As is noted in the CPSU CC's 24 June 1976 decree "Activities of the Georgian Party Organization to Implement the CPSU CC Decree Concerning the Organizational and Political Work of the Tbilisi Gorkom," the GCP CC has launched an intensive struggle to ensure strict compliance with Leninist principles governing cadre selection, placement, and indoctrination; many sectors of party, state, and economic work have been strengthened with cadres faithful to the cause. The principle of collegiality is becoming entrenched in

FOR OFFICIAL USE ONLY

resolving cadre problems. Along with this, party organs are taking fuller account of the opinions of party members and worker collectives. Preliminary discussion of candidates for advancement at party meetings and general assemblies of production collectives, and consideration of the public's proposals and recommendations on such matters, have become the working norm for many of the republic's party organizations. Recommendations from leading production worker collectives have helped to strengthen the republic's Glavsnab, Elektrovostroy Association, the Electric Rail Car Repair Plant, and others.

Despite the fruitful efforts of the GCP in the field of cadre selection, indoctrination, and promotion, mistakes and oversights still occur; cadre composition is not being scientifically analyzed; a precise and harmonious system of cadre work has yet to be worked out. There are frequent delays in implementing measures with regard to individuals who have not done their job. We still encounter indiscriminate attitudes and instances of gross violations with regard to party principles governing cadre selection and appointment. Some executives prefer to resolve cadre questions in a high-handed manner. Party buros, party committees, and primary party organizations tolerate this high-handedness; they do not always get to the bottom of cadre problems and fail to intervene in a principled manner. This practice results in the advancement of unqualified and unworthy individuals and their transfer from one high post to another. Private-ownership tendencies are still rather widespread in the republic.

The party demands that Leninist principles of cadre work be complied with unconditionally in all party, state, economic and social organizations; it is essential to bring shortcomings promptly to light in this vital matter and take effective steps to rectify them.

The CPSU CC effects the advancement of local individuals in party, soviet, economic and other bodies in a consistent manner. This practice is approved and supported by party members and party organizations. It is due to the fact that local party worker cadres have grown in recent years, many well-trained, competent leaders have emerged. It is worthwhile, therefore, to select and promote individuals directly from the local party organizations where they are well known by their fellow-workers. In cases where this is for some reason impossible, the CC does not refrain from exercising its rights and itself sends workers to the local organizations. The party's main course of action is to give the local party organizations more opportunity to train and promote party leaders themselves.

At present, the broad masses of the republic's working people are engaged in preparations for the upcoming GCP CC Plenum. The plenum is to discuss the tasks of party, state, and social organizations in matters of further perfecting cadre work and strengthening ties between the party committees and the masses. The notice concerning the upcoming GCP CC Plenum, which was published in the republic's newspapers, states that all proposals relating to improving the style of party, soviet, and social organization work

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

with the masses and perfecting the indoctrination, selection, and placement of cadres are to be sent to newspaper editors or directly to the Commission Preparing Materials for the GCP CC Plenum on Problems of Cadre Work, in care of the GCP CC. The practice of plenum preparation is a bright manifestation of the GCP CC's democratism and fidelity to the party's cadre policy.

Everyday work with cadres in all spheres of party and state activity indicates the entrenchment of a genuine party, Leninist style. The Leninist style of work embraces the science and art of leadership. It does not proceed at random but as a result of the large and multifaceted indoctrinational activities of the party organizations in cadre work. The style of work is influenced by subjective factors such as the character, attributes, and habits of the leader. Naturally, it is the duty of each party organization to help cadres to rectify their negative aspects, to strengthen and develop every attribute characterizing the Leninist type of worker.

COPYRIGHT: "Sakartvelos komunisti", 1979

6854

CSO: 1810

FOR OFFICIAL USE ONLY

REGIONAL

INTERNATIONALISM, CENTRALISM IN PARTY COMPOSITION

Tbilisi SAKARTVELOS KOMUNISTI in Georgian No 6, June 79 pp. 37-44

[Article by Professor Doctor of Historical Sciences A. Mudzhiri under rubric "Party Life: Theory, Practice, Experience": "Internationalism in Party Development"]

[Text] The Communist Party's success in building a new society is due to its consistent compliance with Marxist-Leninist teachings, its fidelity to the principles of proletarian internationalism. This entails the implementation of internationalism in political, organizational, and indoctrinational work.

V. I. Lenin taught us that the most important hallmark of the Marxist party of the new type is the strict and consistent implementation of the class line in the sphere of national relations. To cut short any deviation from this line, to wage uncompromising struggle against any manifestation of nationalism and chauvinism, is the unswerving class position of our party. Under conditions of a multinational socialist state, the experience of party development and activities built on principles of proletarian internationalism is of utmost theoretical-political significance.

The CPSU's strict implementation of the principles of internationalism depends on the activities of the low-level party organizations. They must consistently defend internationalist ideas, they must do purposeful political, organizational, and indoctrinational work among the masses. By his actions, every party member must set an example of fidelity to internationalism. It is the internationalist character of the party's activities which conditions compliance with and development of internationalist principles in everyday party work.

The Communist Party has always attached special importance to the question as to how well internationalism has been reflected and entrenched in the party's composition, for it has had to do its work in a multinational country.

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

In working out the principles and norms of party membership, V. I. Lenin and the Communist Party were concerned for the formation of the party's ranks not on the basis of national attributes but on class and internationalist principles. The internationalist essence of the Leninist principles and norms of party membership is that every party member, whatever nation or ethnic group he belongs to, must satisfy exactly the same requirements, must have the high attributes of a revolutionary warrior, and a communist faith and consciousness, must faithfully serve the communist cause of the working class and all working people, be staunch, disciplined, intolerant toward shortcomings, honest, and modest; every member must be able not only to teach the masses but also to learn from them. The party has always imposed the same requirements, the same rights and duties to the party, on party members of all nationalities.

V. I. Lenin's and the Communist Party's working out and establishment of genuine internationalist principles and norms of party membership and the conditions and regulations governing entry into the party's ranks have always proceeded under the sign of fierce struggle against nationalist elements. History has witnessed more than one case in which the political parties of the exploiter classes, under the banner of so-called "national unity," have extolled the formation of their composition in accordance with national attributes. The Armenian Dashnaks, the Kadets, the Georgian Socialist Federalists, the National Democrats, and other bourgeois and petit-bourgeois parties were just such groups.

In its charter, the reactionary Russian People's Alliance emphasized that its aims were: "To develop the Russian national consciousness and strongly unite Russian people of every rank and position for the common cause, for the sake of our dear homeland--a united and inseparable Russia." Consequently, according to the charter only Russians, of both sexes and all ranks and positions, could be members of the alliance.

Despite the fact that organizing party forces along national lines is blatantly anti-people and damaging, these "principles" have been used by all manner of opportunists and revisionists claiming to be in the vanguard of the working class. In reality, however, they wished to divide the working people along national lines, which is contrary to the nature of the proletariat's class struggle, internationalism, and of course the party of the working class as an internationalist organization.

Neither in theory nor in practice have Marxist-Leninists ever called for party formation along national lines. In his teachings concerning the Marxist party of the new type, V. I. Lenin attached great importance to working out the best forms of party development; he demanded that the party and other organizations of the proletariat be built on internationalist principles. He cautioned more than once that the nationality question "(our own party development) must be discussed and resolved by all social-democratic organizations" not only on general principles, from the socialist standpoint, but also "in terms of practical organization" ("Works," Vol 19, p 117).

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

Perfecting of the organizational forms in accordance with historical conditions is an important feature of the development of the Marxist party of the new type. V. I. Lenin emphasized the vital importance of this kind of improvement, focusing attention on the importance of the dialectical relationship of the form and type of the organization. In complying with Leninist principles of proletarian internationalism in the party's organizational system, Bolsheviks have relied on the teachings of Marx and Engels and the traditions and experience of the leading proletarian organizations.

Centralism and internationalism are inseparable in the organizational structure of the Marxist-Leninist party. The consistent implementation of proletarian internationalism in organizational questions entails strengthening of the unity of the militant proletariat. The relationship of these principles is conditioned by the working class's objective role in society, in the revolutionary transformation of society.

Ignorance of the dialectical relationship between democratic centralism and proletarian internationalism, as well as tendencies to split them, results in opportunism in party development. For example, the Bund demanded that the party be built on federalism--in essence, on the basis of the nationalist principle. The Bund's attempts to become the sole representative of the Jewish proletariat, in V. I. Lenin's opinion, brought about a division between the Jewish and non-Jewish proletariat and negligence of the unity of proletarians of all nationalities.

The revolutionary Marxists decisively rejected federalism in party development, and under the leadership of V. I. Lenin consistently complied with the internationalist principle of party structure. In this they relied not only on theory but also on the practical experience of a large number of party organizations in Russia. "Especially desirable for us," wrote V. I. Lenin, "is the slogan of the unity of each and every organization of workers of all nationalities, a slogan that has already been tested practically in our social-democratic organization" ("Works," Vol 19, p. 119). In this comment, V. I. Lenin was referring to the experience of the social-democratic organizations of the Caucasus. Their activities were primarily characterized by the correct proletarian resolution of the nationality question. From the very beginning of social-democracy, Georgian, Armenian, Azerbaijani, and Russian social-democrats worked together in a unified organization. Denouncing the separatist tendencies which characterized the Bund, Caucasia's social-democrats viewed their organizations as an inseparable part of the RSDRP. Already working in close contact were the Lenin-Iskra-leaning Tbilisi, Batumi, and Baku committees and the Armenian Social-Democratic Alliance, which considered themselves to be local organizations of the unified RSDRP. V. I. Lenin staunchly supported the internationalist course of Caucasia's social-democratic organizations.

The defeat of federalism and separatism and the establishment of a centralized, truly internationalist party were inseparable from the Bolsheviks' general

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

struggle against various currents of opportunism--menshevism, liquidationism, and trotskyism. With regard to the liquidators, for example, V. I. Lenin emphasized that life itself had revealed their relationship to the "nationality question," in the organizational structure of the party among them.

The creation of the Ukrainian, Belorussian, Estonian, Transcaucasian, and other SSR's as the result of the Great October Socialist Revolution, also the conferring of Soviet autonomy on a number of peoples and the creation of national statehood under conditions of the dictatorship of the proletariat, by no means entailed separation of the peoples; on the contrary, it became a tool for the internationalist rallying and rapprochement of the peoples in the cause of the socialist transformation of society. The party's course toward a federal state structure derived from real life and was consistent with the interests of the working class, of the masses of workers of all nationalities. As is pointed out in the CPSU CC decree "The 60th Anniversary of the Great October Socialist Revolution," "The creation and successful development of the Soviet Union is a triumph of the CPSU's Leninist nationality policy, bright confirmation of its true internationalist character, a magnificent accomplishment of socialism."

The uniting of the efforts of the Soviet peoples in the building of socialism, the establishment and development of their national statehood, imparted special importance and urgency to the problem of working out effective organizational forms of Soviet republic party organizations, of establishing the correct relationship between their leadership organs and the RKP(b) CC within the framework of the unified centralized party, getting party members of the national minorities enlisted in active party life, and so on.

One of the concerns of the Communist Party was to develop organizational forms in accordance with the ongoing process of federative-state structuring, to make them congruent with the country's administrative-territorial division in terms of nationality factors. At the same time, the party had to consider the fact that taking nationality factors into account in party development could lead either to the rallying or the division of working people of all nationalities along national lines, to the reduction or strengthening of differences among them.

Of great importance to the process of perfecting the party's organizational structure was the creation of communist parties in the Soviet republics. The organizational form that was worked out was one which made it possible to reflect common party interests under conditions of the establishment of a multinational federative state, to maintain the party's integrity and organizational unity, and at the same time take account of local nationality factors. This is why the attention of V. I. Lenin and all true communist-internationalists was focused on the creation of the national communist parties and their mutual relationships. In practical terms, this question came up for the first time in connection with the creation of the communist parties of the Ukraine and Turkestan.

FOR OFFICIAL USE ONLY

Important stipulations regarding problems of the development of the national communist parties are contained in the decisions of the Eighth RKP(b) Congress. The congress's resolution with regard to organizational questions emphasizes that the existence of the separate Soviet republics by no means entails reorganization of the party as a federation of the communist parties of these republics, that the party must remain a unified and centralized organization. The republic party congresses stipulated that the central committees of the republic parties were to enjoy the rights of oblast committees and be entirely subordinate to the RKP(b) CC. At the 9 November 1920 Baku conference of the party and soviet workers of Caucasia and Azerbaijan, I. V. Stalin remarked that it is impossible and unacceptable for some of the country's party members to be independent of the others. He decisively defended the inseparability of the unified, centralized party.

The basic stipulations of the resolution of the Eighth RKP(b) Congress were reflected in the party's charter, which was adopted by the Eighth Party Conference and formalized by the 14th VKP(b) Congress; in Paragraph 32 it states that those party organizations serving the national territories of the USSR and the RSFSR have the rights of oblast or guberniya organizations and are entirely subordinate to the VKP(b) CC. The congress also made the decision to change the name of the party. Instead of RKP(b), the party would henceforth be known as the VKP(b), which under conditions of equal rights of the Union of Soviet Republics emphasized the existence of the unified, centralized Communist Party in the country.

On the basis of the decisions of the Eighth RKP(b) Congress, the process of consolidating the unified, centralized party under conditions of the multinational state continued; the party's organizational forms in accordance with nationality factors were improved; the local party organizations came to be homogeneous in structure; and so on. In addition, a single party card was introduced.

The structure of the party and its local organizations was determined in accordance with the 14th VKP(b) Congress: communist parties of the union republics, oblast, guberniya, okrug, uyezd, volost (rayon) organizations, which constituted a single party and united all residents and workers in the territory of a republic, kray, oblast, guberniya, okrug, uyezd or volost (rayon) regardless of their national affiliation. These organizations had a program and charter common to all; they had a single leadership body--the central committee, collectively defending party principles and reflecting its will. In our country not a single important political or organizational question has ever been resolved "unless the party's Central Committee has so directed" (V. I. Lenin, "Works," Vol 31, p 39).

The uniting of communists into a single, monolithic party, far from ruling out broad autonomy for republic and other organizations and their committees, on the contrary called for it. Such organizations could independently resolve local questions as long as it did not contradict party policy. This principle ensured taking account of national characteristics and specific

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

historical conditions, working out a unified political line, and implementing it. As a result of socialist transformations, the party organizations of formerly backward republics and oblasts became stronger thanks to the constant help of the whole party and its Central Committee. Their proletarian nucleus became stronger, theoretically well-trained cadres grew. Now, the republic party organizations are powerful detachments of the CPSU. Under conditions of rapprochement of socialist nations, increased migration, and cadre exchange, the party organizations are becoming more and more multinational. As of 1 January 1976, for example, the GCP's ranks were made up of 318,371 members. They included about 250,000 Georgians, more than 22,000 Armenians, about 17,000 Russians, about 3,000 Ukrainians, more than 6,000 Azerbaijanis, 4,825 Abkhazians, 10,097 Ossetians, and so on. Georgia's party organization is a vigorous reflection of socialist internationalism and the friendship of peoples.

Worthily working alongside Georgians in the leadership of our republic's party organization and in the republic organs of state administration are Russians, Armenians, Azerbaijanis, Ossetians, Abkhazians, Jews, and representatives of many other nations and nationalities. This internationalist course of the Georgian party organization was duly evaluated by the CPSU CC in its well-known 22 June 1976 decree concerning the republic Communist Party. The decree states that "Concrete measures are being carried out to strengthen ideological-indoctrinational work among members of all nationalities living in Georgia and to get them involved in active labor and social-political life."

Multinationalism is characteristic not only of the party organizations of the union and autonomous republics, autonomous oblasts, and national okrugs, but also of all party organizations of the RSFSR. The Leningrad party organizations, for example, include party members of more than 100 nations and nationalities.

In terms of its composition, organizational structure, and policy, our internationalist party now incorporates the 14 communist parties of the union republics, 6 kray and 144 oblast party organizations, including 28 autonomous republic and oblast party organizations, and 10 national okrug party organizations. The consistent implementation of the internationalist principle in the party's organizational structure entails further strengthening of the party organizations of the union and autonomous republics, autonomous oblasts, and national okrugs, of all local organizations of the CPSU, and the ideological and organizational rallying of party members of various nationalities making up these organizations.

Under conditions of developed socialism, the organizational structure of its individual links and apparatuses is becoming more and more uniform and less and less dependent on nationality factors. This is due to the internationalization of the whole social-political life of the Soviet state, the further rapprochement of the socialist nations and nationalities, the

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

emergence of a new historical human entity--the Soviet people--and the multifaceted internationalist efforts of the party itself.

The unswerving implementation of proletarian internationalism within the CPSU's organizational structure, policies, and practical activities, and the close rallying of the multinational army of communists in a unified, centralized party, are all reflected in the charter, the design of the party card, and so on. The party charter now in force focuses attention primarily on the fact that the republic and other local organizations and their committees are guided in their activities by the CPSU program and charter and are directing all their efforts on the republic, kray, okrug, city, or rayon level toward implementing the party's policies and carrying out the CPSU's directives.

At the 25th CPSU Congress, Comrade L. I. Brezhnev remarked "With regard to the party's shared concerns, greatest importance attaches to the activities of the republic, kray, oblast, okrug, city, and rayon party organizations. Becoming increasingly fruitful and meaningful year by year is the work of the party's most important links--the obkoms and kraykoms and the central committees of the communist parties of the union republics. We may say without exaggeration that they bear prime responsibility for carrying out the party's policies locally" ("Materials of the 25th CPSU Congress," p 91).

The internationalist structuring and organizational forms of the CPSU have stood the test of time. The established organizational structure makes it possible for the party to successfully resolve economic and social-political tasks. The CPSU's success, as is noted in the materials of the 25th CPSU Congress, depends on the fact that its local organizations are consistently carrying out the party's policies. They represent the CPSU CC's staunch bulwark.

The fact that the CPSU is a unified, centralized organization is reflected in the 1973 design of the party card, which was distributed to all party members in accordance with the decision of the 24th CPSU Congress. The inside of the party card's cover depicts the face of the party's founder V. I. Lenin. The title page of the older style party card gave the name of the communist party of the union republic. On the new party card this is no longer. This clearly emphasizes the fact that the CPSU embraces all communists regardless of nationality, their acceptance into the party in any republic means acceptance into the CPSU. With perfect clarity the party card confirms membership in the unified CPSU in accordance with that stipulation of the charter which defines the communist parties of the union republics as local organizations of the party.

At the same time, the new style party card reflects the nationality factor. Printed on the title page in the language of the respective union republic is the motto: "Proletarians of All Countries, Unite!", also "Communist Party of the Soviet Union, CPSU CC." Party members who work in a union

FOR OFFICIAL USE ONLY

republic have their party cards filled out in Russian and in the national language. The column which names the party organ issuing the card retains the designation as to which republic communist parties have accepted the members.

History has decisively rebuffed the attempts of bourgeois ideologues to discredit the organizational structure of the Marxist-Leninist party and its principles which ensure the unity of the revolutionary vanguard of the working people and the firm rallying of party members of all nationalities.

Experience has shown clearly that the successes of the Marxist-Leninist party in our multinational state are largely due to its organizational forms and structure. With its help, the working class and all working people of all nations and nationalities are rallying in the struggle to build a new society. The united, centralized, internationalist party is the decisive power in the successful building of socialism and communism.

COPYRIGHT: "Sakartvelos komunisti", 1979

6854
CSO: 1810

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

REGIONAL

PARTY ADMISSION PRACTICES, MEMBERSHIP COMPOSITION DISCUSSED

Tbilisi SAKARTVELOS KOMUNISTI in Georgian No 6, Jun 79 pp 53-56

[Article by A. Abashidze, sector manager, GCP CC Organizational-Party Work Department: "More Attention on Party Admission and Work With Young Communists"]

[Text] Almost three years have passed since the CPSU CC adopted the decree "The Work of the Kirgiz Party Organizations on Party Admission and Indoctrination of Candidates for CPSU membership." The decree noted that under conditions of developed socialism, when the party's leadership role is rising, great importance attaches to the work of the party organizations in replenishing the party's ranks and indoctrinating young party members. The bigger the tasks resolved by the party, the more care we must take in replenishing its ranks with the kind of people who have earned the respect of the primary party organization and the whole collective, people who have shown themselves to be active in production and in social life.

In reviewing the report of the Kirgiz CP CC, the CPSU CC noted that the republic's party organizations were doing considerable work to ensure the quality growth of their ranks and improve their qualitative make-up. In granting admission to the party, attention is focused on the internationalist character of the Kirgiz party organization--the party's ranks are replenished with representatives of both the basic nationality and representatives of other nations and nationalities. Among those accepted as candidates, a bigger percentage consists of people directly involved in production processes, and so on. But the work of the Kirgiz party organizations with regard to party admission and the indoctrination of young communists is still not up to the level of the requirements of the 25th Party Congress and the CPSU program and charter.

In the life of our republic's party organization, similarly, a number of shortcomings were observed along with positive shifts. Sometimes, for example, the procedure of admission into the ranks of the CPSU at meetings of the primary party organizations was a mere formality. They did not always study carefully the political, business, and moral qualities of those

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

to be admitted; they did not analyze the composition of those admitted; they did not replenish the party's ranks primarily with specialists of those sectors that are crucial to the economic development of the particular rayon, city, or region.

In order to rectify these shortcomings and in response to the CPSU CC decree, the GCP CC adopted a broad decree spelling out the tasks of our republic's party organization with regard to the further growth and strengthening of its ranks. The CPSU CC and GCP CC decrees were extensively discussed at GCP obkom, gorkom, and raykom plenums, buro sessions, and primary party organization meetings. Practically all party members took part in the discussions. The question of studying and executing these decrees was incorporated into the work plans of gorkom and raykom primary party organization secretary schools.

The GCP CC Organizational-Party Work Department and its personnel are paying close attention to the matter of implementing the CPSU CC and GCP CC decrees. In their work plans they are systematically taking account of questions of party admission and work with young people in zonal party organizations, analyzing the contingent of those admitted into the party every quarter, tallying the republic's indicators, and mapping out future tasks.

In implementing the Central Committee's decree, a big role is played by the GCP CC's decree concerning the work of the Tskhakayevskiy Raykom. The GCP CC broadly generalized the forms and methods of party acceptance and work with young communists, which were then adopted in other party organizations.

Schools for young communists and candidate members were set up in affiliation with the gorkoms and raykoms and the primary party organizations. At present, 463 schools for young communists and 53 schools for candidate members are in operation under the republic's party organizations. Those enrolled are basically studying the party charter and program and current political issues and listening to party members' personal accounts of charter obligation fulfillment and service performance. They are holding meetings with party veterans and heroes of the Soviet Union and socialist labor and arranging excursions to revolutionary and other notable sites. All of this is helping the ideological shaping of young communists and CPSU candidates.

In the past three years, the ad hoc commissions attached to gorkoms and raykoms to review party admission and party member personnel questions have been almost completely reorganized and made stronger. Within the primary party organizations they check into the political, business, and moral qualities of those admitted into the party and express their opinion at party committee buros. Thousands of young communists and Komsomols are involved in the party education system.

The party's obkoms, gorkoms, raykoms, and primary organizations are paying equal attention to the qualitative growth of the party ranks. Overall, more

FOR OFFICIAL USE ONLY

than 70 percent of those admitted are workers and kolkhoz members. Today the consciousness of the working class, and its vanguard role in all spheres of the cadre's life, has been substantially elevated. Considerable numbers of communist workers are getting a secondary or higher education and mastering the professions of technician, engineer, physician, and others. They are being promoted to party, soviet, trade union, and administrative-economic posts. Communist workers are moving from one social stratum of society to another. And this is strengthening the influence of the working class on all strata of the population.

Since the 25th CPSU and GCP party congresses, the proportion of workers in the republic's party organization has risen steadily. In 1975, for example, workers constituted 54 percent in the Georgian party organization; in 1978 the figure was 54.8 percent. The figure is correspondingly high in the case of the party organizations of certain industrial cities. For example, workers constitute more than 70 percent in the Poti, Rustavi, Sukhumi, Tkvarcheli, Tkibuli, Tskhaltubo, Tskhinvali, and Chiatura city party organizations. The percentage of workers and kolkhoz members in the party ranks is just as high in almost all the rural rayon party organizations.

Since 1976, 20,700 candidates for membership have been admitted into the Georgian party organizations, including 56 percent workers and 16.4 percent kolkhoz members.

The Georgian party organization now numbers more than 337,900 communists--more than 325,000 members and more than 12,000 candidates. Since the 25th Congress it has grown by 17,284.

Improvement of the compositional make-up of the party's ranks has also had a positive influence on quality indicators. Georgia's party organization has been strengthened with workers and specialists of key sectors which are of great importance in speeding up scientific-technical progress. Since the 25th Congress, 1,764 workers of the construction sector alone have been admitted into the party. Significant changes have also taken place in the numerical and qualitative make-up of the rural party members. Before the 25th Congress, 79,000 party members were working in the villages; now the number has reached 81,000.

In accordance with the quantitative and qualitative growth of the party's ranks, the structure of the organizations has improved. The number of primary organizations has risen by 306 since the congress. There are now 11,260 primary organizations in the republic. Party committees have been set up in an additional 98 primary organizations, 546 shop party organizations have been formed, and 379 party groups; 562 shop party organizations have been given primary status.

FOR OFFICIAL USE ONLY

The educational level of party members has been rising. Of the republic's party members, 75.4 percent have a higher, incomplete higher, or secondary education. There are about 900 doctors of science and more than 4,600 candidates of science. In 1976-1978 alone, party organizations admitted 14 doctors and 217 candidates as CPSU candidate members.

The composition of primary party organization secretaries has improved. Now, 72.9 percent of them have a higher or incomplete higher education, while the rest have a secondary education.

Despite the large number of positive changes that have been taking place in this regard since the 1976 decree, certain party organizations still exhibit crucial shortcomings. For example, sometimes unworthy people are admitted into the ranks, and the principle of individual selection is grossly violated. As a result, in 1978 alone raykoms and gorkoms overturned 61 decrees of primary organizations regarding the admission of candidate members. For various crimes, 89 candidate members were expelled and 96 candidates were refused admission into the party.

Sometimes, the review of admission cases in primary party organization meetings and buro sessions is a mere formality. The Tsulukidzevskiy Rayon Tea Sovkhoz party organization admitted as a candidate a worker whose case was not even reviewed by the primary party organization and the party committee. Because of this, the organization's former secretaries G. Kurashvili and G. Sulaberidze were expelled from the party.

The Zestafonskiy Rayon Dilikauri Kolkhoz party organization admitted to candidate membership one D. Suknidze, who was not working on the kolkhoz and did not attend party meetings. The Zestafonskiy Raykom Buro rejected his admission to party membership. In the same way, the Dushetskiy Raykom Buro refused party membership to automotive transport enterprise Chief Engineer G. Dzaveluri, who was charged with serious violations and distortions during his probationary period. And the Lagodekhskiy Raykom refused candidate member status to N. Sakhvadze and G. Skhirkladze and party membership status to candidate member T. Tsutskiridze.

Some party organizations are taking too long to review cases of party admission. Months go by as materials on admitted candidates are not submitted to the appropriate party committees, and the committees, in turn, take too long to review these materials. As a result, the issuance of candidate cards is also delayed. This means that in many places party discipline is still very low.

FOR OFFICIAL USE ONLY

Now that the CPSU CC has adopted the new decree "Further Improvement of Ideological and Political-Indoctrination Work," we must work even more diligently to ensure the monolithicity of the ranks of the CPSU, the ruling party of our Soviet state, so that the title of party member may be even more elevated and each party member may be a highly-principled, active warrior, faithful to the ideals of communism.

COPYRIGHT: "Sakartvelos komunisti", 1979

6854

CSO: 1810

END

FOR OFFICIAL USE ONLY